

American Type Culture Collection

12301 Parklawn Orive, Rockville, MD 20852 USA, Telephone (301) 231-5520 Fax (301) 816-6366

	TO DEPOSIT OR TO CONVERT A DEPOSIT TO MEET THE REQUIREMENTS OF
	TO DEPOSIT OR TO CONVERT A DEPOSIT TO THE BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE
	DEPOSIT OF HICROORGANISHS FOR THE FORESES
τ.	Name of deposit (e.g., microorganism, cell line, seed, plasmid, etc.). If cell line, please provide tissue & socci
	Strain designation (<u>fi.e.</u> , number, symbols, etc). 413412
2.	
· 3.	Testy? Yes
4.	is this a request for a conversion of a deposit already at the ATCC to meet the requirements of the Budapest Free
5.	to the sixture of mirrographisms or cells? No
6.	Provide details necessary to cultivate, test for viability and store deposit. If mixture, provide description components and a method to check presence.
	See instructions attached as Appendix A
	See Instructions detached to
7.	Provide an indication of the properties of the strain which are or may be dangerous to health or the environment. Not aware of any such properties
•8.	Provide sufficient description so that ATCC may confirm deposit properties (e.g., Gram negative rod).
	n/a
	The special of antibiotics? If so, please list
	 a. If deposit is a cell culture, is it being cultured in the presence of antibiotics? If so, please list antibiotics.
	b. If deposit is hybridoms, what is the isotype of antibody produced?
	phytopathogenic? n/a phytopathogenic? n/a
•9. 10.	(MUST BE COMPLETED) Packaging Class I, II, III, IV (In accordance with U.S. Public Health Services Regulation 42 C.F § 72.3 (a)-(f)17
	00es this strain contain plasmids relevant to the patent process? Yes
11.	Does this strain contain plasmids relevant to the patent process
	If so, what physical containment level is required (Mational Institutes of Health Guidelines Involving Recombinant 1 Molecules, i.e., P1, P2, P3 or P4 facility)? P1
*12.	Notecutes, i.e., P1, P2, P3 or P6 facility)?
	answers to these questions are recommended but not required.
	ATCC USE ONLY
	A DESCRIPT & DATE
ATCC DI	ESIGNATION RECEIVED
	* con ac gented price, dependent u
FEES:	30 years' storage \$600. 30 years' notification \$360. Viability testing \$100 to \$400 or quoted price, dependent usery material and/or equipment. Expedite ATCC number \$10. Return sample for a sample of cells or hybridomas \$500. Additions
dried)	s30. Prepare additional samples of cells or hybridomas \$500. Additional E: Cultures are stored for 30 years from date of deposit and for five y
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Ruben EXHIBIT #41



American Type Culture Collection 12301 Parklaum Drive, Rockville, NO 20852 USA, Telephone (301) 231-5520 Fax (301) 815-4366

TO DEPOSIT OR TO CONVERT A DEPOSIT TO MEET THE REQUIREMENTS OF BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF HICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

	Name of deposit (e.g., microorganism, cell line, seed, plasmid, etc.). If cell line, please provide tissue & soc DNA Plasmid
	Strain designation (<u>f.e.</u> , number, symbols, etc). <u>413412</u>
	to this an original deposit under the Budapest Freety? Yes
	Is this a request for a conversion of a deposit already at the ATCC to meet the requirements of the Budapest Ir If so, please indicate ATCC designation. No
	to this descript a mixture of microorganisms or cells? No
	Provide details necessary to cultivate, test for viability and store deposit. If mixture, provide descripti components and a method to check presence.
	See instructions attached as Appendix A
	Provide an indication of the properties of the strain which are or may be dangerous to health or the environment Not aware of any such properties
	Provide sufficient description so that ATCC may confirm deposit properties (e.q., Gram negative rod).
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	a. If deposit is a cell culture, is it being cultured in the presence of antibiotics? If so, please lis antibiotics.
	b. If deposit is hybridoma, what is the isotype of antibody produced?
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	ness rivis strain contain plasmids relevant to the patent process? Yes
	If so, what physical containment level is required (National Institutes of Realth Guidetines Involving Realth Real
	Isolated from?
an:	swers to these questions are recommended but not required.
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30	years' storage \$600. 30 years' notification \$360. Viability testing \$100 to \$400 or quoted price, dependent to material and/or equipment. Expedite ATCC number \$10. Return sample for a characteristic process of the pr
:	O. Prepare additional samples of cells or hydricomal 5300. Matter of Ruben EXHIBIT 2041 Cultures are stored for 30 years from date of deposit and for five y Ruben EXHIBIT 2041 Ruben v. Wiley et al.
	Interference No. 105,077

RX 2041

Budapest Treaty Deposits



American Type Culture Collection 12301 Parklaum Drive, Rockville, MD 20852 USA, Telephone (301) 231-5520 Fax (301) 816-4366

TO DEPOSIT OR TO CONVERT A DEPOSIT TO MEET THE REQUIREMENTS OF BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF HICROORGANISHS FOR THE PURPOSES OF PATENT PROCEDURE

Strain	designation (<u>i.e.</u> , number, symbols, etc). 413412
is this	an original deposit under the Budapest Treaty? Yes
	a request for a conversion of a deposit already at the ATCC to meet the requirements of the Budapest please indicate ATCC designation. No
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Provide	details necessary to cultivate, test for viability and store deposit. If mixture, provide descrip outs and a method to check presence.
s	ee instructions attached as Appendix A
Not	an indication of the properties of the strain which are or may be dangerous to health or the environmental aware of any such properties
Provide	sufficient description so that ATCC may confirm deposit properties (e.g., Gram negative rod).
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	a. If deposit is a cell culture, is it being cultured in the presence of antibiotics? If so, please l antibiotics. h. If deposit is hybridoma, what is the isotype of antibody produced?
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FEES: 30 years' storage \$600. 30 years' notification \$360. Viability testing \$100 to \$400 or quoted price, dependent u necessary material and/or equipment. Expedite ATCC number \$10. Return sample for approval (if not submitted frozen or free defed) \$30. Prepare additional samples of cells or hybridomas \$500. Additional costs for return of samples outside U.S.A STORACE: Cultures are stored for 30 years from date of deposit and for five years after the last request for a sample,

	patent	a U.S. Patent issues, ATCC makes the culture available to anyone who requests it, as allowed under U.S. (to issuance of a U.S. Patent, ATCC will only make a culture available as instructed by the depositor or re office. In addition to those entitled to a sample under the Budapest Treaty and the European Patent Conver wish the strain made available:
	a.	As of the date of deposit to anyone who requests a culture? (If "yes", there are no restrictions distribution from date of deposit or conversion to Budapest). NO
	b.	To requestors which satisfy Patent Offices in countries not signatory to the Budacest Treaty? If "yes", plostate which countries.
		Yes, Canada, South Africa, Israel, Mexico
	Do you	rish ATCC to inform you of all requests for this strain? (\$360 fee for 30-year informing). Yes
	Would yo	ou like expedited notification of your ATCC number? (\$10 fee). ATCC must observe viability first.
		Individual. Robert H. Benson, Ph.D., J.D.
	Fax No.	(301) 309-8512 Telephone No. (301) 251-6015
	receive	by check, or credit card (MasterCard or VISA), must accompany the deposit unless prior arrangements for billi n made and approved. If arrangements have been made to bill you for services, please indicate person who shou invoice. Also, please include P.O. number.
. •	9410	Powers c/o Human Genome Sciences, Inc. ?.o. ?.o.
		rille, Maryland 20850
7	γpe or p	rint the name shown on credit card Signature
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N	ame and a	address of your attorney of record. Robert H. Benson, Ph.D. J.D.
	Human	Genome Sciences, Inc., 9410 Key West Avenue, Rockville, Maryland 20850
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OF M	ST BE CO	Genome Sciences, Inc., 9410 Key West Avenue, Rockville, Marvland 20850 RPLETED. Owner of deposit. (Verify with your management who owns the deposit. The owner is usually a companie, and normally is not an individual.) HUMAN GENOME SCIENCES, INC.
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Ad Linda	ST BE CO r institu 9410 I ditional understau enty (at	Genome Sciences, Inc., 9410 Key West Avenue, Rockville, Marvland 20850 MPLETED. Owner of deposit. (Verify with your management who owns the decosit. The owner is usually a compatite, and normally is not an individual.) HUMAN GENOME SCIENCES, INC. MELEV West Avenue, Rockville, MD 20850 Comments. PF261 FAS Ligand Melev Brand agree that the deposit may not be withdrawn by me for a period specified in Rule 9.1 of the Budapes least 30 years after the date of decosit and 5 years after the date of the most recent request for the send that if a guillors should die on be a period to the date of the most recent request for the send that if a guillors should die on be a period to the date of the most recent request for the send that if a guillors should die on be a period to the date of the most recent request for the send that if a guillors should die on be a period to the most recent request for the send that if a guillors should die on be a period to the send that if a guillors should die on be a period to the most recent request for the send that if a guillors should die on be a period to the send that if a guillors should die on be a period to the send that the decosit and 5 years after the date of the most recent request for the send of the send that the decosit and 5 years after the date of the most recent request for the send of the send that the decosit and 5 years after the date of the send that the decosit and 5 years after the date of the send that the decosit and 5 years after the date of the send that the decosit and 5 years after the date of the send that the decosit and 5 years after the date of the send that the decosit and 5 years after the date of the send that the decosit and 5 years after the decosit an
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NA TITUDE BASING	9410 F ditional understa- testy (at posit), ecified, ruses, co	Genome Sciences, Inc., 9410 Key West Avenue, Rockville, Marvland 20850 RPLETED. Owner of deposit. (Verify with your management who owns the decosit. The owner is usually a comparite, and normally is not an individual.) HUMAN GENOME SCIENCES, INC. Rey West Avenue, Rockville, MD 20850 Comments. PF261 FAS Ligand Telegian and agree that the deposit may not be withdrawn by me for a period specified in Rule 9.1 of the Buckape: Least 30 years after the date of deposit and 5 years after the date of the most recent request for the and that if a culture should die or be destroyed during the life of the patent, or the period of time: it is my responsibility to replace it with a living culture of the same organism or cell. In the cases it is continued and the cases in the cases of the case of the cases of the cases of the cases of the case of the cases of the case of the

TRIS FORM MUST BE COMPLETED IN ENGLISH

ADDRESS SHIPMENTS AND FORM TO THE ATTENTION OF:

Ms. Annette L. Bade, Esq. American Type Culture Collection 12301 Parklawn Orive Rockville, MD 20852 U.S.A.

Appendix A

The deposit is a cDNA insert cloned into a pBluescript SK(-) vector, which will confer ampicillin resistance upon transformation. It is stored as plasmid DNA in water and should be maintained at -80°C. To test viability, the plasmid DNA must be transformed into an E.coli strain such as Stratagene XL-1 Blue and spread on LB plates containing $100 \, \mu g/ml$ ampicillin followed by overnight growth at 37°C. Oligonucleotide primers specific for the insert DNA sequence can be synthesized and used in a PCR amplification containing the deposited plasmid as template.